

Serial No. 09/895,173  
Docket No. OSP-10752

5

**REMARKS**

Claims 1-11 are all of the claims presently pending in the application. Claims 1, 4 and 11 have been amended to more particularly define the invention.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

As a preliminary matter, Applicant's representative would like to thank the Examiner for courtesies extended in the personal interview conducted on August 16, 2005.

An Examiner's Interview Summary Record (PTOL-413) was provided by the Examiner at the personal interview.

Applicant submits this Statement to comply with the requirements of M.P.E.P. § 713.04.

In the interview, the following was discussed:

**A. Identification of claims discussed:**

Claims 1, 4, 10 and 11 were discussed.

**B. Identification of prior art discussed:**

Sato.

**C. Identification of principal proposed amendments:**

None.

Serial No. 09/895,173  
Docket No. OSP-10752

6

**D. Brief Identification of principal arguments:**

Sato does not teach or suggest an electronic journal preparation system including “*a customer transaction data image processing portion for forming an image regarding customer transaction data*” as recited in claim 1 and similarly recited in claim 4.

Indeed, Sato merely teaches the prior art system (and method) as described in the specification of the Application (see Application at page 1, lines 13-24).

That is, Sato teaches an electronic journal system that collectively displays on a CRT 23 the contents of a user’s journal dealing data and a user’s photograph. Sato merely teaches inputting and displaying dealings journal data (see Sato at paragraph [0016]). Sato does not teach or suggest, however, forming an image regarding customer transaction data.

In contrast, in the claimed invention (of exemplary claim 1), the customer transaction data is stored in the electronic journal as image data, which is synthesized by the journal data synthesizing portion. The present invention is far more effective than the conventional technique, used by Sato, which stores data as numerical values (text), in preventing the transaction data from unauthorized alteration. When data is stored as numerical values, it is easy to alter the data by use of a keyboard even without using a particular tool. That is, it is possible to alter the data on the automatic teller machine. When the customer transaction data, however, is converted into image data (as in the claimed invention), it is impossible to alter the image data on the ATM because an image editor is required for altering the image data.

The Examiner attempts to rely on the image processing section 3 of Sato as teaching a customer transaction data image processing portion for forming an image regarding customer transaction data. However, the Examiner is clearly incorrect.

Serial No. 09/895,173  
Docket No. OSP-10752

7

Applicants point out that the Examiner must consider the plain meaning of the language of the claims as well as the plain meaning of the language of the prior art references. That is, the Examiner's latitude to provide a reasonably broad interpretation to Appellants' claim language does not extend to the prior art. In this instance, the plain meaning of Sato clearly states that an image input device photographs a user. The image processing section 3 changes the analog data from the image input device into a digital signal (see Sato at paragraph [0015]).

Nowhere does the plain meaning of Sato teach or suggest that the image processing section (or any other portion of the device in Sato) forms an image regarding customer transaction data. Sato merely teaches inputting a photograph of a user and changing the photo to a digital signal.

Furthermore, nowhere does Sato even mention storing customer transaction data as an image, let alone teach or suggest a customer transaction data image processing portion for forming an image regarding customer transaction data. Moreover, Sato does not even mention preventing customer transaction data from being altered. Sato is directed to merely displaying a user's photograph with the user's bank dealing data.

Additionally, Applicant's representative argued that Sato did not teach or suggest synthesizing said face image, said card embossed image, and said customer transaction data image into journal data into a single image.

**E. Results of the Interview:**

The Examiner was not persuaded by Applicant's arguments. That is, the Examiner maintained that Sato teaches forming an image as seen in Figure 15. Additionally, the Examiner indicated that the limitation of synthesizing portions into a single image is not clear

Serial No. 09/895,173

8

Docket No. OSP-10752

from the claimed invention. The Examiner, however, indicated that Sato (taken alone or in combination with the secondary reference Hanna) does not teach or suggest synthesizing the face image, the card embossed image, and the customer transaction data image into journal data into a single image.

Therefore, the Examiner indicated that amending the claimed invention to recite synthesizing the face image, the card embossed image, and the customer transaction data image into journal data into a single image would overcome the current rejections based on the cited prior art references.

### Conclusion

Applicant respectfully disagrees with the Examiner. That is, Applicant maintains that Sato (taken alone or in combination with Hanna) does not teach or suggest an electronic journal preparation system including “*a customer transaction data image processing portion for forming an image regarding customer transaction data*” as recited in claim 1 and similarly recited in claim 4.

However, merely in an effort to speed prosecution, Applicant has amended claim 1 (and similarly claim 4) to recite, inter alia, “*a journal data synthesizing portion for synthesizing as a single image, a journal data by assembling said face image picked up by said face image pick-up portion, said card embossed image picked up by said card embossed image pick-up portion, and said customer transaction data image picked up by said customer transaction data image processing portion*” (emphasis added by Applicant).

Applicant respectfully submits that the feature of synthesizing the face image, the card embossed image, and the customer transaction data image into journal data into a single image was clearly recited in dependent claim 11 (which was added in Applicant’s

Serial No. 09/895,173

9

Docket No. OSP-10752

Amendment filed on October 29, 2004). Therefore, Applicant has merely incorporated the subject matter of claim 11 into independent claims 1 and 4.

Therefore, entry of this Supplemental Amendment is believed proper since no new issues are being presented to the Examiner, which would require further consideration and/or search.

In view of the foregoing, Applicant submits that claims 1-11, all of the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: August 31, 2005



Scott M. Tulino, Esq.  
Registration No. 48,317

Sean M. McGinn, Esq.  
Registration No. 34,386

**McGinn & Gibb, PLLC**  
Intellectual Property Law  
8321 Old Courthouse Road, Suite 200  
Vienna, VA 22182-3817  
(703) 761-4100  
Customer No. 21254